

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

MAY - 6 2014

UNITED STATES OF AMERICA  
V.

## CRIMINAL COMPLAINT

David J. Bradley, Clerk

Vicente Alberto Balderas PRINCIPAL  
A206 727 977 YOB: 1983  
United States Citizen

Case Number:

M-14-0888-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 4, 2014 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Tulio Joel Maradiaga-Maldonado, citizen and national of Honduras, along with one (1) other undocumented alien, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On May 4, 2014, Border Patrol Agent (BPA) E. Garza was conducting patrol duties in Roma, Texas. At approximately 10:30 p.m., BPA Garza was dispatched to assist the Roma Police Department on a traffic stop near the Auto Zone store. BPA Garza arrived at the location and was briefed by Officer I. Garza of the traffic stop. Officer Garza advised BPA Garza he had conducted a traffic stop on the vehicle for an improper lane change. He also relayed there were two passengers in the vehicle who failed to provide identification along with the driver. BPA Garza interviewed the subjects and determined the driver, Vicente Alberto Balderas, was a United States Citizen and the two passengers were illegally present in the United States. All of the subjects were taken into custody for further questioning.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved:

Robert W. Wells, Jr. AVSA  
5/6/2014

Signature of Complainant

Sworn to before me and subscribed in my presence,

May 6, 2014  
Dateat McAllen, Texas  
City and StatePeter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-0888-M**

**RE: Vicente Alberto Balderas**

**A206 727 977**

**CONTINUATION:**

At the station records revealed Vicente Alberto Balderas was convicted on October 19, 2012 for Possession with Intent to Distribute Marijuana and sentenced to 19 months confinement and 36 months supervised release term. He was also the driver in a 1 on 4 administrative smuggling case on January 5, 2005. He was not prosecuted at that time.

**PRINCIPAL STATEMENT:**

Vicente Alberto Balderas was read his Miranda Rights by BPA E. Garza. Balderas stated he understood and was willing to provide a statement.

BALDERAS claimed to be a United States citizen born in Rio Grande City, Texas. He stated at the time of his arrest, he was with two people he had picked up at the Dairy Queen in Roma. BALDERAS admitted he was aware the subjects were undocumented aliens since they were carrying clothes. He further stated he was going to transport the subjects to the El Tigre store in Roma, Texas. BALDERAS stated he offered to give the subjects a ride since he felt sorry for them.

**MATERIAL WITNESS STATEMENT:**

Tulio Joel Maradiaga-Maldonado was read his Miranda Rights by BPA J. Moreno. Maradiaga stated he understood and was willing to provide a statement.

MARADIAGA claimed to be a citizen of Honduras and illegally entered into the United States. He stated he paid \$3,500 to be smuggled to Glasgow, Kentucky. MARADIAGA further stated a guide crossed him and another man into the United States and gave them instructions on how to get to the pick-up location. They were told a white four door car would be waiting for them. MARADIAGA added they were lost so he called the phone number the guides gave them of the smuggler who was going to pick them up. He told the driver his location before the call was disconnected. A white car arrived and the driver told them it was dangerous to be outside and told them to get in agreed to give them a ride. MARADIAGA also stated he and his companion were going to pay the driver \$150 and he was going to contact their family. MARADIAGA identified Vicente Alberto Balderas as the driver of the white car he boarded.

Note: Consent was given by Vicente Alberto Balderas and Tulio Joel Maradiaga-Maldonado to search their phones and the call history indicates both subjects had called the same phone number prior to their arrest.